



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

MAY 12 2016

OFFICE OF THE
REGIONAL
ADMINISTRATOR

The Honorable JoDe Goudy
Chairman, Yakama Tribal Council
P.O. Box 15
Toppenish, Washington 98948

Dear Chairman Goudy:

Thank you for your letter to Ms. Gina McCarthy, Administrator for the U.S. Environmental Protection Agency, dated March 31, 2016. We appreciate you taking the time to write to us requesting a government-to-government consultation with the EPA Administrator regarding the Proposed Plan for the Portland Harbor Superfund site. Administrator McCarthy has asked that I respond to you on her behalf.

In your letter, you discussed the consultation that Jim Woolford, Director of our National Superfund Program, and I held with your Council in February. We met with you to discuss cleanup alternatives described in the Feasibility Study, and the Council expressed concern that none of the alternatives will adequately protect human health or Treaty resources. Your letter raised three critical issues about whether the EPA will consider a more protective remedy, avoid reliance on monitored natural attenuation, and engage with the Yakama Nation as a sovereign partner apart from the formal public comment requirement. You also requested to consult with the Administrator, who will sign the Record of Decision.

We believe it is important to hold a formal consultation on the Portland Harbor Proposed Plan where we can discuss the issues that you raised in your letter, along with other issues and questions you may have. JoAnn Chase, Director of the American Indian Environmental Office, will follow up on your request and seek to schedule a time for a government-to-government consultation between the Yakama Tribal Council and Administrator McCarthy in Washington.

Again, thank you for contacting the EPA. If you have any questions, please feel free to contact me or have your staff contact Deborah Robinson, our Portland Harbor Project Coordinator. You can reach her by telephone at (206) 553-4961 or by email at robinson.deborah@epa.gov.

Sincerely,

Dennis J. McLerran
Regional Administrator

cc: Mr. Gerald Lewis
Assistant Secretary, Tribal Council
Yakama Nation

Mr. Delano Saluskin
Tribal Council Member
Yakama Nation

Mr. Davis Washines
Chairman, General Council
Yakama Nation

Mr. Phil Rigdon
Superintendent, Department of Natural Resources
Yakama Nation

Mr. Paul Ward
Fisheries Manager, Department of Natural Resources
Yakama Nation

Ms. Rose Longoria
Yakama Nation Fisheries Superfund Coordinator
Yakama Nation

Mr. Jim Woolford
Director Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency

Ms. JoAnn Chase
Director, American Indian Environmental Office
U.S. Environmental Protection Agency

Mr. Jim Woods
Senior Tribal Policy Advisor
U.S. Environmental Protection Agency